

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Jennifer Ringley,) C/A: 4:17-395-RBH-TER
vs.)
Plaintiff,) Report and Recommendation
vs.)
Horry County Council,)
Harold Worley,)
Mark Lazarus,)
Bill Howard,)
Jimmy Washington,)
Gary Loftus,)
Tyler Servant,)
Cam Crawford,)
Harold Phillips,)
Johnny Vaught, *et al.*,)
Defendants.)

This is an action filed by a *pro se* non-prisoner litigant. Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

On February 17, 2017, and May 8, 2017, the Court ordered Plaintiff to bring this case into proper form, including to bring the summons for Defendant State of South Carolina into proper form. (ECF Nos. 9, 42). Plaintiff has failed to fully comply with these orders. On this same day, the Court has authorized service on sixty-five Defendants named in this action. Prior to such authorization, however, several defendants have filed a Motion and/or an Appearance in this case. Plaintiff has filed responses and motions with the court after said orders were issued, but still has failed to comply with the court's orders regarding Defendant State of South Carolina.

A complaint may be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute and/or failure to comply with orders of the court. *Ballard v. Carlson*, 882 F.2d 93 (4th Cir.1989), *cert. denied* 493 U.S. 1084 (1990) and *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919 (4th Cir.1982). It is RECOMMENDED that Defendant State of South Carolina be dismissed without prejudice.

June 7, 2017
Florence, South Carolina

s/ Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge

Plaintiff's attention is directed to the important notice on the next page.

Notice of Right to File Objections to Report and Recommendation

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); *see* Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Robin L. Blume, Clerk
United States District Court
Post Office Box 2317
Florence, South Carolina 29503

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).